

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Anil Kavipurapu

Serial No.: 09/826,240

Filed: April 4, 2001

Title: POWER SELECTION SYSTEM FOR USE WITH A
RECONFIGURABLE CIRCUIT AND METHOD OF
OPERATING THE SAME

Grp./A.U.: 2116

Examiner: Paul B. Yanchus, III

Mail Stop Appeal Brief-Patents

I hereby certify that this correspondence is being electronically filed
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Debbie Sams

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/Debbie Sams/

(Signature of the person signing the certificate)

Sir:

APPELLANT'S REPLY BRIEF UNDER 37 C.F.R. §41.41

In response to the Examiner's Answer mailed June 28, 2006, the Appellant submits this
Reply Brief.

I. Reply to Examiner's Arguments

The Examiner argues that the Appellant defines "reconfiguring a reconfigurable circuit" in the claims as "altering a power characteristic applied to at least a portion thereof." (See Examiner's Answer, page 6, section 10.) The Appellant does not find, however, nor does the Examiner assert, where in the claims "reconfiguring a reconfigurable circuit" is defined as "altering a power characteristic applied to at least a portion thereof." As recited in pending independent Claim 28, a reconfigurable circuit is reconfigured "by altering a power characteristic applied to at least a portion thereof." Therefore, "reconfiguring a reconfigurable circuit" is **not defined** in the claims as "altering a power characteristic applied to at least a portion thereof." Instead, "altering a power characteristic" is how the reconfigurable circuit is reconfigured.

One may consider the Examiner's definition of reconfiguring a reconfigurable circuit and the actual claim language a subtle difference. However, if the Examiner's definition is true, then the Appellant is trying to patent changing the power to a circuit. This is not the case. The Appellant is not seeking a patent on changing power to a circuit but instead is seeking a patent with claims that include reconfiguring a reconfigurable circuit by altering a power characteristic applied to at least a portion thereof.

The Examiner uses this incorrect definition with the reference Mittal to fashion a §102 rejection of independent Claims 21 and 28. More specifically, the Examiner interprets a functional unit in Mittal to be a "node" located within a "reconfigurable circuit." Additionally, the Examiner interprets switching the functional unit between a normal mode of operation and a reduced-power mode as "altering a power characteristic" of the functional unit. As such, the Examiner concludes

that Mittal by definition teaches "reconfiguring a reconfigurable circuit." (*See Examiner's Answer*, page 6, section 10.)

As the Appellant argued in the Appeal Brief, Mittal does not teach reconfiguring a reconfigurable circuit. On the contrary, Mittal discloses switching to a reduced-power mode by throttling the performance of the functional unit. (*See Appeal Brief*, page 10.) The Examiner does not assert nor does the Appellant find where Mittal discloses changing the configuration of the functional unit. Instead, the Examiner uses the unsupported definition of "reconfiguring a reconfigurable circuit" to arrive at the present claimed invention by equating throttling the performance of the functional unit to "reconfiguring a reconfigurable circuit."

Accordingly, the Appellant respectfully requests the Board of Patent Appeals and Interferences to reverse the Examiner's Final Rejection of Claims 21 and 28, and the Appellant's other pending claims, and allow issuance thereof.

Respectfully submitted,

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Dated: August 28, 2006

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